

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

IN RE: SKI TRAIN FIRE IN KAPRUN AUSTRIA	X	
ON NOVEMBER 11, 2000	:	MDL # 1428 (SAS)
	:	
	X	

This document relates to the following cases:

BLAIMAUER , et al,	Plaintiffs,	:	
- and -		:	
		:	Civil Action #
		:	03-CV-8960 (SAS)

OMNIGLOW CORPORATION, et al	Defendants.	:	
		X	

GEIER , et al,	Plaintiffs,	:	
- and -		:	
		:	Civil Action #
		:	03-CV-8961 (SAS)

OMNIGLOW CORPORATION, et al	Defendants.	:	
		X	

MITSUMOTO, et al,	Plaintiffs,	:	
- and -		:	
		:	Civil Action #
		:	06-CV-2811 (SAS)

REPUBLIC OF AUSTRIA, et al	Defendants.	:	
		X	

MITSUMOTO, et al,	Plaintiffs,	:	
- and -		:	
		:	Civil Action #
		:	07-CV-935 (SAS)

ROBERT BOSCH CORP., et al	Defendants.	:	
		X	

STADMAN, et al,	Plaintiffs,	:	
- and -		:	
		:	Civil Action #
		:	07-CV-3881 (SAS)

AUSTRIAN NATIONAL TOURIST OFFICE, et al,	Defendants.	:	
		X	

FERK, et al,	Plaintiffs,	:	
- and -		:	
		:	Civil Action #
		:	07-CV-4104 (SAS)

OMNIGLOW CORPORATION, et al,	Defendants.	:	
		X	

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**EDWARD D. FAGAN NOTICE OF FILING OF DOCUMENTS IN FURTHER  
SUPPORT OF MOTION FOR STAY, RECUSAL AND OTHER RELIEF**

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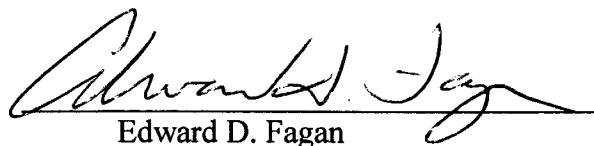
I, Edward D. Fagan, hereby declare and say:

1. I am Plaintiffs' counsel and with this Declaration I am submitting the following Additional Documents.

- a. Exhibit 1 - page 30 of June 19, 2007 Opinion and Order – with language stating that *“US cases have ‘dragged on for years, without resolution of the threshold jurisdictional issues, let alone development (or complete discovery) of the merits’ of their claims, due to the inconvenience of litigating them in this forum”*;
- b. Exhibit 2 – page 32 of June 19, 2007 Opinion and Order – which stated at footnote 107 – *“... the following motions are now moot: ... (a)dditionally, several defendants have joined Bosch Rexroth’s Motion for Sanctions Under 28 U.S.C. § 1927 and to Disqualify Edward D. Fagan, Esq. as Plaintiffs’ Counsel ... (a)lthough the disqualification portion of this motion is now moot, the Court will address defendants’ request for sanctions in a separate Order”*
- c. Exhibit 3 - June 25, 2007 Court Email confirming only motions not mooted after June 19, 2007 Opinion and Order were sanctions motions;
- d. Exhibit 4 - July 5, 2007 Email from Bosch Rexroth confirming the only motion pending is “sanctions motion”;
- e. Exhibit 5 – August 1, 2007 Fagan Letter requesting Court grant Plaintiffs’ permission to file transcripts from Rosa Deposition and direct Haesloop to produce van der Senden Deposition transcript so it can also be included in Court’s consideration of Plaintiffs’ Sanctions Motion;

- f. Exhibit 6 – August 8, 2007 Court Order granting Defendants 45 days to respond to Plaintiffs’ July 31, 2007 Motion for Reconsideration;
  - g. Exhibit 7 – August 9, 2007 Court Order confirming Plaintiffs’ Reply on Motion for Reconsideration due on October 1, 2007;
  - h. Exhibit 8 – Re: Footnote 39 at page 15 of August 16, 2007 Opinion and Order - Excerpts from Local Rules related to Confidentiality of complaints and all files related to complaints against attorneys;
  - i. Exhibit 9 – Excerpt from Master Docket 1:01-md-1428 showing:
    - i. Motion for Reconsideration Briefing Schedule;
    - ii. No entry of Order related to Plaintiffs’ Motion to Recuse;
    - iii. Transcript of July 11, 2007 Hearing docketed on Aug. 9, 2007;
    - iv. Due Date for Plaintiffs’ Reply on Motion for Reconsideration due October 1, 2007; and
  - j. Exhibit 10 – August 17, 2007 Plaintiffs’ Request for Entry of Order denying Plaintiffs’ July 2007 Motion to Recuse itself.
2. In support of this Motion, I will submit a separate Declaration related to certain events and facts which support the relief sought in this Motion and which will also incorporate by reference the Declarations submitted but ignored by the Court.
3. Plaintiffs are submitting their Memorandum of Law under separate cover in support of the Motion.
4. The facts and statements contained above are true and accurate to the best of my knowledge information and belief.

Dated: 20 August 2007

  
Edward D. Fagan